

From: Cory Petkovsek
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/24/02 3:53pm
Subject: Microsoft Settlement

Department Of Justice,

I am writing to express my discontent over the proposed settlement between the DOJ and Microsoft. Microsoft has clearly committed wrong action in this country, against consumers and against other businesses. This settlement is a bare punishment with great benefits for Microsoft. Two great benefits for Microsoft are 1) Escape from punishment and justice. 2) The extension of its monopoly into schools, making the poorest schools in America dependent upon Microsoft and their products. If Microsoft is allowed to continue without a real remedy they will both continue in their wrong actions, and set a precedent for other large companies. For years high paid lawyers of large companies will use Microsoft tactics and cases in defense of their own wrong actions.

Those that will suffer from such a poor settlement are American citizens. Immediately, everyone using or perhaps associated with other people using Microsoft software will continue to suffer. For instance if Microsoft had their way, MS Word documents could be opened only by MS Word, requiring everyone to own a copy of MS Word if they are to share documents. If Microsoft had their way, all internet websites would be viewable only by Internet Explorer. Both of these examples are or have been real problems experienced by me and thousands of computer users. Later, as precedents are set, more citizens could become affected as other corporations develop and extend their monopolies.

Please refer to your mission statement:
<http://www.usdoj.gov/02organizations/index.html>
"Department of Justice Mission Statement

To enforce the law and defend the interests of the United States according to the law, to provide Federal leadership in preventing and controlling crime, to seek just punishment for those guilty of unlawful behavior, to administer and enforce the Nation's immigration laws fairly and effectively, and to ensure fair and impartial administration of justice for all Americans."

Is the proposed settlement a real enforcement of antimonopoly law? Will allowing Microsoft to extend its monopoly into our poorest schools "defend the interests of the US according to the law"? Is such a toothless settlement inline with the DOJ's commitment "to seek just punishment for those guilty of unlawful behavior?"

I serve my company as a Network Administrator of computer systems running both Microsoft and non-Microsoft software. In such an environment it is

very easy to compare Microsoft operating systems and products with non-Microsoft software, as well as the companies which produce them. Microsoft repeatedly expresses their interest and development of new plans for securing their products. Yet each new product is found to contain many security problems symptomatic of a flawed design (as opposed to a flawed implementation) and false marketing. Microsoft claims to be innovative while others are stifling their innovation. However I fail to see how bundling products and releasing "killer" applications (C# a Java killer, Internet Explorer a Netscape killer) provides innovation that benefits the consumer.

Real competition is great for the consumer and America. However Microsoft's intentions are wrong. They choose actions that benefit Microsoft, not the consumer, not Microsoft AND the consumer. Their "competitive" practices are akin to ranchers killing all of the wolves in the forest to protect their sheep. These actions are against the laws of nature and will result in an out of balance ecosystem. Microsoft performs actions designed to kill off their competitors, which currently results in an out of balance econo-system. Many people, companies and government agencies suffer from expensive, insecure, unstable operating systems and products (outlook), and are nearly forced to remain with the Windows platform, paying exorbitant prices to do so. I know a company that would like to replace some certain Microsoft software, however are unable to do so because there is not a viable product on non-Microsoft platforms. This is primarily due to lack of competition, for Microsoft's monopoly also extends into the development community as well.

Such selfish actions don't fit the mold of America well. When such selfish actions go to the point of "playing against the rules", they need to stop playing. Department Of Justice, as the playground attendant, it is your responsibility to make sure everyone plays together nicely, and to correct those who do not. Please keep the ideals of America strong, unable to be watered down with handwaving and words, bypassed by lies or broken by dollars.

Liberty and Justice for all.

Cory Petkovsek